

Magistrate Judge S. Kate Vaughan

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AT SEATTLE
CLERK U.S. DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
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UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

V.

HARLAN PHILIP JAMES.

Defendant

NO. MJ23-546

MOTION FOR DETENTION

to 18 U.S.C. § 3142(e) and (f)

1. Eligibility of Case. This case is eligible for a detention order because this case involves (check all that apply):

- Crime of violence (18 U.S.C. § 3156).
 - Crime of Terrorism (18 U.S.C. § 2332b (g)(5)(B)) with a maximum sentence of ten years or more.
 - Crime with a maximum sentence of life imprisonment or death.
 - Drug offense with a maximum sentence of ten years or more.

- 1 Felony offense and defendant has two prior convictions in the four
2 categories above, or two State convictions that would otherwise fall within
3 these four categories if federal jurisdiction had existed
- 4 Felony offense involving a minor victim other than a crime of violence.
- 5 Felony offense, other than a crime of violence, involving possession or use
6 of a firearm, destructive device (as those terms are defined in 18 U.S.C. §
7 921), or any other dangerous weapon.
- 8 Felony offense other than a crime of violence that involves a failure to
9 register as a Sex Offender (18 U.S.C. § 2250).
- 10 Serious risk the defendant will flee.
- 11 Serious risk of obstruction of justice, including intimidation of a
12 Prospective witness or juror.
- 13 2. **Reason for Detention.** The Court should detain defendant because there
14 are no conditions of release which will reasonably assure (check both):
- 15 Defendant's appearance as required.
- 16 Safety of any other person and the community.

18 3. **Rebuttable Presumption.** The United States will invoke the rebuttable
19 presumption against defendant under § 3142(e). The presumption applies because:

- 20 Probable cause to believe defendant committed offense within five years of
21 release following conviction for a qualifying offense committed while on
22 pretrial release.
- 23 Probable cause to believe defendant committed drug offense with a
24 maximum sentence of ten years or more.
- 25 Probable cause to believe defendant committed a violation of one of the
26 following offenses: 18 U.S.C. §§ 924(c), 956 (conspiracy to murder or
27 kidnap), 2332b (act of terrorism), 2332b(g)(5)(B) (crime of terrorism).

- 1 Probable cause to believe defendant committed an offense involving a
2 victim under the age of 18 under 18 U.S.C. §§1591, 2241, 2242,
3 2244(a)(1), 2245, 2251, 2251A, 2252(a)(1) through 2252(a)(3),
4 2252A(a)(1) through 2252A(a)(4), 2260, 2421, 2422, 2423 or 2425.

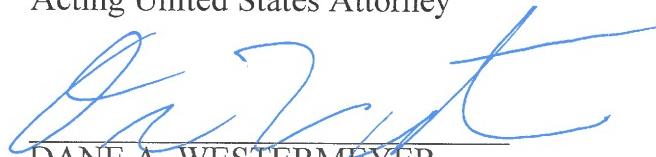
4. **Time for Detention Hearing.** The United States requests the Court
5 conduct the detention hearing:

- 6 At the initial appearance
7 After a continuance of 3 days (not more than 3)

8 DATED this 14th day of November, 2023.
9

10 Respectfully submitted,

11 TESSA M. GORMAN
12 Acting United States Attorney



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